

A RESOLUTION

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE 02-*R*-1440

**A RESOLUTION AUTHORIZING PAYMENT IN THE AMOUNT
OF \$3,517.29 IN SETTLEMENT OF THE CLAIM OF LAURA
MARTIN AGAINST THE CITY OF ATLANTA**

WHEREAS, LAURA MARTIN has filed a claim against the City of Atlanta seeking damages arising out of property damages sustained when a City outfall sewer stopped up and backed up into her house located at 616 Starlight Drive on March 23, 2002 through March 31, 2002; and

WHEREAS, the City had notice of problems in the sewer mainline on and after March 23, 2002; and

WHEREAS, the City of Atlanta was on notice of said sewer backup and the City failed to correct the problem until after additional backups; and

WHEREAS, inasmuch as the facts disclosed indicate said claim is not based on a claim of negligence, of a nuisance which is not subject to a defense of sovereign immunity under the laws of the State of Georgia; and

WHEREAS, the claimant has agreed to accept the sum of **\$3,517.29** in full and complete satisfaction and settlement of her claim against the City of Atlanta; and

WHEREAS, the City Attorney has recommended that the claim of **LAURA MARTIN** be settled for the sum of **\$3,517.29**.

THEREFORE, BE IT RESOLVED that the Council of the City of Atlanta, Georgia that **\$3,517.29** be paid by the City of Atlanta in satisfaction of any and all claims **LAURA MARTIN** may have stemming from damages sustained to her property on or about March 23, 2002 through March 31, 2002 at 616 Starlight Drive.

BE IT FURTHER RESOLVED that the Chief Financial Officer be and hereby authorized to pay the above-mentioned sum from account number **2J01/529017/T31001**.

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